

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
<i>PLAINTIFF</i>	§	
	§	
VS.	§	No. 6:70cv5176 (SCHNEIDER)
	§	
TYLER INDEPENDENT SCHOOL	§	
DISTRICT, ET AL.,	§	
<i>DEFENDANTS</i>	§	

**AGREED ORDER MODIFYING PLAN OF
DESEGREGATION AND APPROVING CONSTRUCTION AND
BOUNDARY MODIFICATIONS**

On this day, the Court considered the Agreed Motion of Defendant, Tyler Independent School District, and Plaintiff, United States of America, to enter an Order: 1) approving construction of the Three Lakes Parkway Middle School, relief campus within Tyler ISD; 2) the demolition and reconstruction of Boulter and Moore Middle School campuses; 3) the renovations and additions to the Dixie and Rice Elementary campuses; 4) the construction of a new Career Technology Education Center for high school students; 5) modifications to the attendance zones for Boulter, Hogg, Hubbard, Moore, Three Lakes Parkway and Stewart Middle School; and 6) the repurposing of Stewart Middle School for future programs and new uses. Having considered the evidence and arguments of counsel, the Court finds as follows:

1. Population growth and residential home construction in recent years have resulted in overcrowding at the Hogg and Hubbard Middle schools within Tyler ISD. Additionally, recent facility studies have shown that Boulter and Moore Middle School campuses are in need of replacement. Similarly, renovations and additions to the Dixie and Rice Elementary campuses will be in the best interest of the community and students. Further, the Career Technology

Education Center for high school students will serve the community and its students with new training and career opportunities. The existing Stewart Middle School will be repurposed for new educational opportunities and programs for students.

2. With the repurposing of Stewart Middle School and the opening of a new middle school at Three Lakes Parkway to alleviate overcrowding at Hogg and Hubbard Middle Schools, it is necessary to change the attendance zones and boundaries for Boulter, Hogg, Hubbard, Moore, Three Lakes Parkway, and Stewart Middle Schools.

3. In May of 2013, school district voters approved a bond package which included the construction of the new middle school on Three Lakes Parkway; the demolition and rebuilding of Boulter and Moore Middle Schools at their present locations; renovations and the construction of additions to the Dixie and Rice Elementary Schools; and the construction of a new CTE Center for high school students.

4. The construction of the Three Lakes Parkway Middle School, the rebuilding of Boulter and Moore Middle Schools, the construction of the CTE Center for high school students, and the renovations and additions to Rice and Dixie Elementary Schools are in the best interest of the District's students.

5. The modification of the attendance zone lines for Boulter, Hogg, Hubbard, Moore, Three Lakes Parkway, and Stewart Middle Schools is necessary and in the best interests of the district students.

6. The revisions requested in the Joint Motion filed by the District and the United States are educationally sound, administratively workable, economically feasible, and designed to further the District's efforts to promote desegregation and to eliminate any remaining vestiges of the prior dual school system.

IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED that the plan of desegregation in this case is modified to the extent necessary to allow the school district to construct the Three Lakes Parkway Middle School; to rebuild Boulter and Moore Middle Schools on their present locations; to construct a new CTE Center; to renovate and make the necessary additions to Rice and Dixie Elementary Schools; and to modify the attendance zone boundaries for the middle schools as described and detailed in the parties' Joint Motion.

It is SO ORDERED.

SIGNED this 12th day of December, 2013.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE